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25 COUNTY OF STANISLAUS,
26 STANISLAUS COUNTY SHERIFF'S
27 DEPARTMENT, and JEFF DIRKSE

28 UNITED STATES DISTRICT COURT

1 EASTERN DISTRICT OF CALIFORNIA

2 FRESNO DIVISION

3 ESTATE OF XANDER MANN, AMY
4 PICKERING, and JUSTIN MANN,

5 Case No. 1:21-cv-01098-AWI-SKO

6 Plaintiffs,

7 **JOINT REQUEST TO MODIFY
8 STIPULATED PROTECTIVE ORDER;
9 ORDER**

10 vs.

11 (Doc. 43)

12 COUNTY OF STANISLAUS, STANISLAUS
13 COUNTY SHERIFF'S DEPARTMENT,
14 JEFF DIRKSE, GERARDO ZAZUETA,
15 and DOE 1 to 20,

16 Defendants.

The parties—Plaintiffs Estate of Xander Mann, Amy Pickering, and Justin Mann (collectively, “Plaintiffs”) and Defendants County of Stanislaus, Stanislaus County Sheriff’s Department, and Jeff Dirkse (collectively, “Defendants”)—jointly request the Court to modify the parties’ previously-entered stipulated protective order (ECF No. 28). Specifically, the parties request the stipulated protective order be modified to clarify that the following documents, which were produced as “Confidential,” are no longer covered by the terms of the stipulated protective order:

1. Coroner's Report (Bates No. StanCo_2197–StanCo_2214)
2. X-Rays of Xander Mann (Bates No. StanCo_0251–StanCo_0267; StanCo_2221–StanCo_2236)
3. Audio Interviews of Valerie Kennedy (Bates No. StanCo_0268–StanCo_269)
4. Audio Interviews of Rhiannon Taylor (Bates No. StanCo_0273–StanCo_275)
5. Audio Interviews of Hector Delalto (Bates No. StanCo_0270–StanCo_271)
6. Audio Interviews of Deputy Zazueta and counsel (Bates No. StanCo_2240–StanCo_2241)
7. OIS Photos (Bates No. StanCo_0276–StanCo_0941)
8. Investigation Photos (Bates No. StanCo_1376–StanCo_1744)
9. DJI Drone Photos (Bates No. StanCo_0942–StanCo_1375)
10. Bodycam Videos (Bates No. StanCo_1745–StanCo_1767; StanCo_1769)
11. Bodycam Video (Bates No. StanCo_1768)
12. Audio Interview of Deputy Zazueta (Bates No. StanCo_2237–StanCo_2239)
13. FTO Stanley Bodycam (Bates No. StanCo_1773)
14. Radio Transmission (Bates No. StanCo_1770–StanCo_1771)
15. Sgt. Ruelas Interview (Bates No. StanCo_2369)
16. Sgt. Hatfield Interview (Bates No. StanCo_2367)
17. Sgt. Barringer Interview (Bates No. StanCo_2368)
18. Audio Files, Dispatch (Bates No. StanCo_1775–StanCo_1934)
19. Bodycam Videos (Bates No. StanCo_1936–StanCo_1952)
20. Report Data Extraction (Bates No. StanCo_2180–StanCo_2183)
21. Report Data Extraction (Bates No. StanCo_2175–StanCo_2179)

- 1 22. Report Interview of Rhiannon Taylor (Bates No. StanCo_2169–StanCo_2174)
- 2 23. Report of Dalton Gonzalez (Bates No. StanCo_2157–StanCo_2168)
- 3 24. Report Re: Observations of Hector Delalto at DMC (Bates No. StanCo_2153–
- 4 StanCo_2156)
- 5 25. Report Re: Traffic Control (Bates No. StanCo_2149–StanCo_2152)
- 6 26. ICJIS Reports (Bates No. StanCo_0001–StanCo_0249)
- 7 27. Memo Re: Pursuit (Bates No. StanCo_2438–StanCo_2439)
- 8 28. SP21018395 CAD (Bates No. StanCo_2057–StanCo_2079)
- 9 29. MCS21219084 CAD (Bates No. StanCo_2080–StanCo_2084)
- 10 30. IA#21-19 MPD (Bates No. StanCo_2184–StanCo_2196)
- 11 31. Deputy Tovar Interview Drawings (Bates No. StanCo_2440–StanCo_2442)
- 12 32. Crime Scene Analyst Mapping; OIS Pursuit Route (Bates No. StanCo_2052–
- 13 StanCo_2053)
- 14 33. Evidence List (Bates No. StanCo_2054–StanCo_2056)
- 15 34. Emails Re: Traffic Cams of Pursuit (Bates No. StanCo_2443–StanCo_2454)
- 16 35. County Claim Investigation (Bates No. StanCo_2455–StanCo_2457)
- 17 36. CAD Abstract Detail (Bates No. StanCo_2085–StanCo_2130)
- 18 37. Report S211018395 (Bates No. StanCo_2131–StanCo_2148)
- 19 38. Citizen’s Complaints against Deputy Zazueta (Bates No. StanCo_2475–StanCo_2494)
- 20 39. Stanislaus County Sheriff’s Department Report, by case agent Deputy Dalton Gonzalez
(Controlled Document Case No: S21018395)
- 21 40. Stanislaus County Sheriff’s Department Report, by Field Training Officer Deputy
Brandon Stanley (Controlled Document Case No: S21018395)
- 22 41. Stanislaus County Sheriff’s Department Report, by Deputy Alex Tovar (Controlled
Document Case No: S21018395)
- 23 42. Stanislaus County Sheriff’s Department Report, by Deputy Colton Cline (Controlled
Document Case No: S21018395)
- 24 43. Stanislaus County Sheriff’s Department Report, by Deputy Michael Varni (Controlled

1 Document Case No: S21018395)

2 44. Stanislaus County Sheriff's Department Report, by Deputy Andrew Winter (Controlled

3 Document Case No: S21018395)

4 45. Stanislaus County Sheriff's Department Report, by Deputy Michael Gamez (Controlled

5 Document Case No: S21018395)

6 46. Stanislaus County Sheriff's Department Report, by Sergeant Kenneth Barringer

7 (Controlled Document Case No: S21018395)

8 47. Stanislaus County Sheriff's Department Report, by Deputy Caitlin Pfaff (Controlled

9 Document Case No: S21018395)

10 48. Stanislaus County Sheriff's Department Report, by Deputy Craig Valera (Controlled

11 Document Case No: S21018395)

12 49. Stanislaus County Sheriff's Department Report, by Deputy Michael Carranza (Controlled

13 Document Case No: S21018395)

14 50. Stanislaus County Sheriff's Department Report, by Detective Hickman (Controlled

15 Document Case No: S21018395)

16 51. Stanislaus County Sheriff's Department Report, by Detective Sgt. Joshua Sandoval

17 (Controlled Document Case No: S21018395)

18 52. Stanislaus County Sheriff's Department Report, by Detective Marissa Silva (Controlled

19 Document Case No: S21018395)

20 53. Stanislaus County Sheriff's Department Report, by Detective Michael Fisher (Controlled

21 Document Case No: S21018395)

22 54. Stanislaus County Sheriff's Department Report, by Sergeant Darwin Hatfield (Controlled

23 Document Case No: S21018395)

24 55. Modesto Police Department Supplemental Report in Case No. MP21012599, Officer

25 Adam Weber

26 56. Modesto Police Department Supplemental Report in Case No. MP21012599, Officer

27 Conner Jones

28 57. Modesto Police Department Incident Report in Case No. MP21012599, Officer Jeffrey

1 Harmon

2 58. Modesto Police Department Supplemental Report in Case No. MP21012599, Officer
3 Ryan Vander Tuig

4 59. Stanislaus County Sheriff's Department Report, by Detective Darwin Summerton
5 (Controlled Document Case No: S21018395)

6 60. Stanislaus County 911 CAD Response Report (SP210183 95) (23 pages), Traffic Pursuit,
7 Deputy Stanley and Deputy Tovar, dispatched 05/18/2021 at 01:50:32

8 61. Stanislaus County 911 CAD Response Report (MCS21219084) (5 pages), EMSCPR,
9 dispatched 05/18/2021 at 02:12:42

10 62. Stanislaus County 911 CAD Abstract Report (SP21138007) (46 pages), 245 Assault w/
11 deadly weapon, primary agent David Hickman, dispatched on 05/18/2021 at 1:50:32

12 63. Urine and Toxicology Report of Xander Mann (4 Pages)

13 64. Officer Involved Shooting Photographs (approximately 650 Photos)

14 65. Investigation Photographs (approximately 350 Photos)

15 66. Drone Photographs of Scene (approximately 400 Photos)

16 67. Recordings of Stanislaus County Sheriff's Department Interview of Hector Del Alto (2
17 files)

18 68. Recording of Stanislaus County Sheriff's Department Interview of Loralye Vann provided
19 by the Stanislaus County Sheriff's Department

20 69. Recordings of Stanislaus County Sheriff's Department Interview of Rihannon Taylor (3
21 files)

22 70. Recordings of Stanislaus County Sheriff's Department Interview of Valerie Kennedy (2
23 files)

24 71. Body Camera Videos from Modesto Police Officers

25 72. Body Camera Video of Stanislaus County Sheriff's deputies

26 73. Stanislaus County Sheriff's Department Officer Training, PIT Course Training Roster,
27 January 6, 2021

28 74. Stanislaus County Sheriff's Department Advanced Officer Training, Sheriffs Tactical

1 Operations Program ('S.T.O.P.'), PIT Course Training Roster ("STOP"), February 25,
2 2021

3 75. Stanislaus County Sheriff's Department Advanced Officer Training, Sheriffs Tactical
4 Operations Program ("S.T.O.P."), Firearms Training Roster, February 24, 2021

5 IT IS SO STIPULATED.

6 Dated: May 27, 2022

Respectfully Submitted,
7 LAW OFFICE OF MARK E. MERIN

8 */s/ Mark E. Merin*

9 By: _____
10 Mark E. Merin
11 Paul H. Masuhara
12 Attorneys for Plaintiffs
13 ESTATE OF XANDER MANN,
14 AMY PICKERING, and JUSTIN MANN

15 Dated: May 27, 2022

16 Respectfully Submitted,
17 RIVERA HEWITT PAUL LLP

18 */s/ Jill B. Nathan*
19 (as authorized on May 27, 2022)

20 By: _____
21 Shanan L. Hewitt
22 Jill B. Nathan
23 Wendy Motooka
24 Attorneys for Defendants
25 COUNTY OF STANISLAUS,
26 STANISLAUS COUNTY SHERIFF'S
27 DEPARTMENT, and JEFF DIRKSE

ORDER

GOOD CAUSE APPEARING, the parties' foregoing request (Doc. 43) is GRANTED.

The previously entered stipulated protective order (Doc. 28) is hereby MODIFIED, where the materials identified above are no longer “Confidential” under the terms of the stipulated protective order and Rule 26(c) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated: May 31, 2022

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE